



Attorney's Docket No. 3477-116

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Pugh et al.
Appl. No.: 09/029,872
Filed: June 29, 1998
For: ARTIFICIAL STABILIZED COMPOSITION OF CALCIUM PHOSPHATE
PHASES PARTICULARLY ADAPTED FOR SUPPORTING BONE CELL
ACTIVITY

Confirmation No.: 6664
Group Art Unit: 3738
Examiner: P. Prebilic

July 9, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

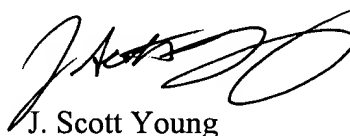
RECEIVED
JUL 15 2004
TECHNOLOGY CENTER R3700

REQUEST FOR REINSTATEMENT OF APPEAL UNDER CFR § 1.193(b)(2)

This is a Request for Reinstatement of Appeal filed pursuant to 37 CFR §1.193(b)(2). A Supplemental Appeal Brief is filed concurrently herewith. The Request for Reinstatement of Appeal and Supplemental Appeal Brief are filed in response to the Final Office Action of January 12, 2004. The Final Office Action followed the Examiner's decision to reopen prosecution of the above-referenced application following submission of a previous Appeal Brief. The application was previously under Appeal after a Notice of Appeal was filed August 28, 2003, and the Appeal Brief was filed October 28, 2003.

It is not believed that extensions of time or additional appeal fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time or appeal fees are necessary to allow consideration of this paper, such actions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore is hereby authorized to be charged to Deposit Account No. 16-0605.

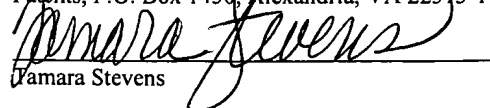
Respectfully submitted,



J. Scott Young
Registration No. 45,582

CUSTOMER NO. 00826
ALSTON & BIRD LLP
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111
"Express Mail" mailing label number EV440847617US
Date of Deposit July 9, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Tamara Stevens